



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Adress: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,096	11/05/2003	Stephen D. Kuslich	C364.104.101(19478-00005)	6813
24113	7590	09/08/2008		
PATTERSON, THUENTE, SKAAR & CHRISTENSEN, P.A.			EXAMINER	
4800 IDS CENTER			STEWART, ALVIN J	
80 SOUTH 8TH STREET			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402-2100			3774	
		MAIL DATE	DELIVERY MODE	
		09/08/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10702096 00005)	11/5/03	KUSLICH, STEPHEN D.	C364.104.101(19478-

PATTERSON, THUENTE, SKAAR & CHRISTENSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402-2100

EXAMINER

Alvin J. Stewart

ART UNIT

PAPER

3774 20080902

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The amendment filed June 05, 2008 have been fully considered but the amendment is not fully responsive to the prior Office Action because of the following omission(s) or matter(s); the Applicant's representative elected on August 15, 2005 Species II, referring to Figure 2 without traverse. The Amendment filed on June 05, 2008 is referring to Species III, Figures 3-5 because is claiming a porous container. The elected species in Figure 2 does not disclose a container. therefore, the examiner has not examined the above claims because they belong to a non elected species. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

09/02/08

/Alvin J Stewart/
Primary Examiner
Art Unit: 3774